

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: The reference to "claim 1", on page 1, line 34, of specification should be deleted as specification should not include any reference to any claim.

Appropriate correction is required.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because the abstract contains the use of words used in legal phraseology often used in patent claims, such as "means" and "said,", characterized in" and "comprised of", that should be avoided. Also the format used is as that of claim and is written in one sentence. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "the others" in claim 6 is a relative term which renders the claim indefinite. The term "others" should be clearly defined to specify what "others" mean, as it fails to particularly point out claimed subject matter. Therefore, it renders the invention of the subject matter indefinite and unclear.

The term "it" in claim 8 is a relative term which renders the claim indefinite. The term "it" should be clearly defined to specify what "it" mean, as it fails to particularly point out claimed subject matter. Therefore, it renders the invention of the subject matter indefinite and unclear.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 3, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Perini 4,329,895.

Re claim 1, Perini discloses handling means 10 for logs along a path developed between an entrance section of the logs to be trimmed, the area of 1 & 2, and an exit section of the trimmed logs, the area of R5 & R6, with blades 16 set along said path and intended to provide the trimming of the logs R1 & R2 per Fig. 1, said handling means of

logs also constituting means of holding or blocking the logs along said path, 9A, 9E & 9F, characterized in that said handling and blocking means of logs are comprised of two series of guide blades set 9 on opposite sides of the path followed by logs per Fig.1, said two series of guide blades being subdivided into a first and a second group set on opposite sides of a vertical plane. It should be noted that there are two series of guide blades, one holding roll R1 and second is holding roll R2 per Fig. 1. Perini also discloses that two series of guide blades 9, subdivided so that the guide blades 9 of a same series and of a same group form two subgroups of guide blades which are set on opposite sides of the cutting plane of a corresponding blade per Fig. 4. It should be noted that one group is formed on one side of the cutting blade 16 and the other group is formed on the opposite side of each cutting blade 16 per Fig. 4. Perini also discloses that, said guide blades 9 being mounted onto respective conveying means 10 along said path followed by the logs, and the guide blades of each series engaging the logs diametrically opposite the guide blades of the other series per Figs. 1-3.

Re claim 2, Perini discloses that at least in correspondence of said blades 16, said guide blades 9 block the logs R1, R2, both externally and internally to said cutting planes set by cutting blades 16 per Figs. 1-4.

Re claim 3, Perini discloses that conveying means 10 with the guide blades 9 are made of endless belts put onto corresponding pulleys 12, 14 which are assembled onto respective shafts interlocked with a corresponding motor. It should be noted that Perini discloses transmission means which are equivalent and the same as of pulleys with a corresponding motor per col. 2, lines 10-17.

Re claim 5, Perini discloses that the guide blades 9 (having slits 9G) of the first group may be moved closer to or further apart from the guide blades of the second group in relation to the length of the logs to be treated per col. 2, lines 43-45 and col. 3, lines 5-9.

Re claim 6, Perini disclose that the guide blades of said second series and the guide blades 9 of said first series external to the cutting planes are all of the same width, whereas the guide blades of the first series included between the cutting planes are of a greater width than the others per Fig. 4. It should be noted that the outboard side guide blade from the cutter blade is narrower than the inboard side guide blade from the cutter blade per Fig. 4.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 4, 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perini 4,329,895 in view of Gabel 4,041,822.

Re claim 4, Perini teaches the invention as claimed as discussed above. However, fails to teach that the guide blades of the second series are set onto respective mobile supports allowing the adjustment of distance from the guide blades of the logs to be treated. Gable teaches that the guide blades 90 of the second series are

set onto respective mobile supports 92 allowing the adjustment of distance from the guide blades 72 of the logs S to be treated per Fig. 3.

It would have been obvious to one having ordinary skill in the art at the time of invention to provide Perini's guide blade with adjustment mechanism, as taught by Gabel, in order to facilitate the retention of the roll in the cradle formed by the several closed cradle elements per col. 2, lines 12-20.

Re claim 7, the modified device of Perini teaches that each of said guide blades (Gabel, 72, 92) exhibits a concavity, in that the guide blades of the second series are mounted onto the corresponding belts (Gabel, 50) so that, when they result in the space traveled by the logs per (Gabel, Fig. 3), the respective concavities face towards the exit front of the trimmed logs (Gabel, S), and in that the guide blades (Gabel, 72, 92) of said first series are mounted onto the corresponding belts (Gabel, 50) so that, when they result in said space, the respective concavities face towards the entrance front of the logs to be trimmed (Gabel, Fig. 3).

Re claim 9, the modified device of Perini teaches that during the phase in which the guide blades (Gabel, 72, 92) of said second series move closer to or further apart from the guide blades of the first series, the guide blades (Gabel, 72, 92) of the second series consequently move forwards or backwards per Fig. 3.

***Allowable Subject Matter***

10. Claim 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BHARAT C. PATEL whose telephone number is (571)270-3078. The examiner can normally be reached on Monday-Friday, alt. Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 24502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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June 3, 2008.  
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